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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,092	02/21/2002	Barton A. Pasternak	35783-152950	2819

23973 7590 10/03/2003
DRINKER BIDDLE & REATH
ONE LOGAN SQUARE
18TH AND CHERRY STREETS
PHILADELPHIA, PA 19103-6996

EXAMINER

NEGRON, ISMAEL

ART UNIT PAPER NUMBER

2875

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,092

Applicant(s)

PASTERNAK ET AL.

Examiner

Ismael Negron

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2875

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on July 30, 2003 has been entered. Claims 1, 5, 7 and 13 have been amended. Claim 4 has been cancelled. No claims have been added. Claims 1-3 and 5-14 are still pending in this application, with claims 1, 7, 8 and 13 being independent.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the socket being adapted to be rotated at least 360° about two axes (claim 14) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not

Art Unit: 2875

described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification as filed discloses a socket adapter capable of 360° rotation about one axis, and less than 360° about a second axis. The structure disclosed by the instant application is capable of rotating about a longitudinal axis of the screw base 26, and about hinge 35. While rotation of at least 360° about the longitudinal axis of the screw base 26 is possible (and indeed claimed), hinge 35 is not capable (emphasis added) of such 360° rotation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2 and 5-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over WOHL (U.S. Pat. 2,190,439) in view of CHAN (U.S. Pat. 4,716,505).

WOHL discloses directionally adjustable socket adapter having:

- **a rotatable upper portion**, Figure 1, reference number 20;
- **the upper portion being for receiving a light bulb**, Figure 1;
- **a lower portion**, Figure 1, reference number 10;
- **the lower portion adapted to engage a socket**, column 1, lines 1-5;

Art Unit: 2875

- **a hinge**, Figure 1, reference number 16;
- **the upper portion being attached to the lower portion by the hinge**, Figure 1, reference numbers 17 and 18;
- **the directionally adjustable socket adapter being adjustable to a plurality of directional arrangements by the hinge**, column 1, lines 51-55;
- **the upper portion also being rotatable about a longitudinal axis of the lower portion**, column 2, lines 5-13;
- **the upper portion having a housing and an inner socket**, inherent; and
- **a light bulb**, Figure 1, reference number 21.

WOHL discloses all the limitations of the claims, except the upper portion being rotatably engage to the lower portion and having at least 360° of rotation about the longitudinal axis of the lower portion.

CHAN discloses an illumination device (Figure 1) having rotatable coupling (Figure 3) capable of at least 360° rotation (column 2, lines 46-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the rotatable coupling of CHAN in the illumination device of WAHL to provide such device with the capability of being in any desired direction, as per the teachings of CHAN.

Regarding the light bulb having a coating adapted to focus light emitted by the bulb in a desired direction, the Examiner take Official Notice that the use and

Art Unit: 2875

advantages of such coated light bulbs is old and well known in the art. One of ordinary skill in the art would have been motivated to use such light bulb in the device of WOHL to increase the efficiency of the illumination device by concentrating and directing the light rays towards an intended target of illumination.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over WOHL (U.S. Pat. 2,190,439) in view of CHAN (U.S. Pat. 4,716,505) as applied to claims 1 and 2 above, and further in view of ANGOTT (U.S. Pat. 4,684,822).

The teachings of WOHL and CHAN disclose, or suggest in combination, all the limitations of the claims, except the housing having a plurality of sensors for receiving a remote signal, such signal controlling the brightness of the light bulb.

ANGOTT disclose a lamp dimmer system for remotely controlling lamps.

It would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to include the lamp dimmer circuit of ANGOTT in the illumination device of WOHL and CHAN to be able to remotely control the operation of such illumination device, as per the teachings of ANGOTT (see column 1, lines 27-49).

Relevant Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Snowhill (U.S. Pat. 823,000) and **Birdseye et al.** (U.S. Pat. 2,118,785) disclose directionally adjustable socket adapters having an Edison-type threaded plug at one

Art Unit: 2875

end, and a socket at the other end. In addition, Birdseye et al. disclose the socket adapter being used with a light bulb, such bulb having a reflective coating inside the bulb envelope. The bulb coating focus and redirects light from the lamp filament., towards a illumination target.

Smally (U.S. Pat. 1,906,188) and **Meyer et al.** (U.S. Pat. 4,982,131) disclose light bulbs having reflective surfaces incorporated therein for providing a light focusing and redirecting function.

Schwartz (U.S. Pat. 3,603,783), **Funk** (U.S. Pat. 3,971,028), **Schwartz** (U.S. Pat. 4,343,032), **Hughey et al.** (U.S. Pat. 4,355,309), **Angott** (U.S. Pat. 4,686,380) and **Chang** (U.S. Pat. 6,100,803) disclose illumination devices controlled by a variety of sensors reacting to remote signals.

Response to Arguments

7. Applicant's arguments with respect to claims 1-3 and 5-14 have been considered but are moot in view of the new ground(s) of rejection.


Art Unit: 2875

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negrón whose telephone number is (703) 308-6086. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (703) 305-4939. The facsimile machine number for the Art Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.


AYAN CARIASO
PRIMARY EXAMINER

Inr

September 11, 2003